

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**



RUTH WILSON
213 WINBOURNE ROAD
ROCHESTER, NEW YORK 14619
Name(s) of Plaintiff or Plaintiffs

Jury Trial Demanded: Yes ___ No ___

-VS-
L3 HARRIS
400 INITIATIVE DRIVE
ROCHESTER, NEW YORK 14620
Name of Defendant or Defendants

DISCRIMINATION COMPLAINT

23 -CV- 6079 - EAW

You should attach a copy of your **original Equal Employment Opportunity Commission (EEOC) complaint**, a copy of the Equal Employment Opportunity Commission **decision**, AND a copy of the **"Right to Sue"** letter you received from the EEOC to this complaint. Failure to do so may delay your case.

Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.

This action is brought for discrimination in employment pursuant to (*check only those that apply*):

☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub.L.No. 102-166) (race, color, gender, religion, national origin).

NOTE: In order to bring suit in federal district court under Title VII, you **must first obtain a right to sue letter** from the Equal Employment Opportunity Commission.

☒ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621-634 (amended in 1984, 1990, and by the Age Discrimination in Employment Amendments of 1986, Pub.L.No. 99-592, the Civil Rights Act of 1991, Pub.L.No. 102-166).

NOTE: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you **must first file charges** with the Equal Employment Opportunity Commission.

☐ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112-12117 (amended by the Civil Rights Act of 1991, Pub.L.No. 102-166).

NOTE: In order to bring suit in federal district court under the Americans with Disabilities Act, you **must first obtain a right to sue letter** from the Equal Employment Opportunity Commission.

JURISDICTION is specifically conferred upon this United States District Court by the aforementioned statutes, as well as 28 U.S.C. §§ 1331, 1343. Jurisdiction may also be appropriate under 42 U.S.C. §§ 1981, 1983 and 1985(3), as amended by the Civil Rights Act of 1991, Pub.L.No. 102-166, and any related claims under New York law.

In addition to the federal claims indicated above, you may wish to include New York State claims, pursuant to 28 U.S.C. § 1367(a).

_____ New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297 (age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status).

PARTIES

1. My address is: 213 WTN BOURNE ROAD
ROCHESTER, NEW YORK 14619

My telephone number is: 585-319-6386

2. The name of the employer(s), labor organization, employment agency, apprenticeship committee, state or local government agency who I believe discriminated against me is/are as follows:

Name: L3 HARRIS

Number of employees: 200-1500

Address: 400 INITIATIVES DRIVE
ROCHESTER, NEW YORK

3. (If different than the above), the name and/or the address of the defendant with whom I sought employment, was employed by, received my paycheck from or whom I believed also controlled the terms and conditions under which I were paid or worked. (For example, you worked for a subsidiary of a larger company and that larger company set personnel policies and issued you your paycheck).

Name: _____

Address: _____

CLAIMS

4. I was first employed by the defendant on (date): 4/2000

5. As nearly as possible, the date when the first alleged discriminatory act occurred is: MARCH 18, 2021
6. As nearly as possible, the date(s) when subsequent acts of discrimination occurred (if any did): MARCH 19, 2021
7. I believe that the defendant(s)
- a. ☒ Are still committing these acts against me.
- b. ☐ Are not still committing these acts against me.
- (Complete this next item **only** if you checked "b" above) The last discriminatory act against me occurred on (date) _____
8. (Complete this section **only** if you filed a complaint with the New York State Division of Human Rights)
- The date when I filed a complaint with the New York State Division of Human Rights is _____
- ____ (estimate the date, if necessary)
- I filed that complaint in (identify the city and state): _____
- The Complaint Number was: _____
9. The New York State Human Rights Commission did _____ /did not _____ issue a decision. (NOTE: If it **did** issue a decision, you **must** attach one copy of the decision to **each** copy of the complaint; failure to do so will delay the initiation of your case.)
10. The date (if necessary, estimate the date as accurately as possible) I filed charges with the Equal Employment Opportunity Commission (EEOC) regarding defendant's alleged discriminatory conduct is: 5/27/2021
11. The Equal Employment Opportunity Commission did DID /did not _____ issue a decision. (NOTE: If it **did** issue a decision, you **must** attach one copy of the decision to **each** copy of the complaint; failure to do so will delay the initiation of your case.)
12. The Equal Employment Opportunity Commission issued the attached Notice of Right to Sue letter which I received on: 11/18/2022. (NOTE: If it

did issue a Right to Sue letter, you **must attach** one copy of the decision to **each** copy of the complaint; failure to do so will delay the initiation of your case.)

13. I am complaining in this action of the following types of actions by the defendants:

- a. ☐ Failure to provide me with reasonable accommodations to the application process
- b. ☒ Failure to employ me
- c. ☐ Termination of my employment
- d. ☐ Failure to promote me
- e. ☐ Failure to provide me with reasonable accommodations so I can perform the essential functions of my job
- f. ☐ Harassment on the basis of my sex
- g. ☐ Harassment on the basis of unequal terms and conditions of my employment
- h. ☒ Retaliation because I complained about discrimination or harassment directed toward me
- i. ☐ Retaliation because I complained about discrimination or harassment directed toward others
- j. ☐ Other actions (please describe) _____

14. Defendant's conduct is discriminatory with respect to which of the following (*check all that apply*):

- | | |
|---|--|
| a. <input checked="" type="checkbox"/> Race | f. <input type="checkbox"/> Sexual Harassment |
| b. <input type="checkbox"/> Color | g. <input checked="" type="checkbox"/> Age _____ Date of birth _____ |
| c. <input type="checkbox"/> Sex | h. <input type="checkbox"/> Disability |
| d. <input type="checkbox"/> Religion | Are you incorrectly perceived as being disabled by your employer? |
| e. <input type="checkbox"/> National Origin | _____ yes _____ no |

15. I believe that I was /was not _____ **intentionally** discriminated against by the defendant(s).

16. I believe that the defendant(s) is/are _____ is not/are not _____ still committing these acts against me. (If you answer is that the acts are not still being committed, state when: _____ and why the defendant(s) stopped committing these acts against you: _____)

17. **A copy of the charge to the Equal Employment Opportunity Commission is attached to this complaint and is submitted as a brief statement of the facts of my claim.** (NOTE: You **must** attach a copy of the **original complaint** you filed with the Equal Employment Opportunity Commission and a copy of the **Equal Employment Opportunity Commission affidavit** to this complaint; failure to do so will delay initiation of your case.)

18. The Equal Employment Opportunity Commission (*check one*):

☐ **has not** issued a Right to sue letter

☒ **has** issued a Right to sue letter, which I received on _____

19. State here as briefly as possible the *facts* of your case. Describe how each defendant is involved, including *dates* and *places*. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (*Use as much space as you need. Attach extra sheets if necessary.*)

FOR LITIGANTS ALLEGING AGE DISCRIMINATION

20. Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct _____ 60 days or more have elapsed _____ less than 60 days have elapsed

FOR LITIGANTS ALLEGING AN AMERICANS WITH DISABILITIES ACT CLAIM

21. I first disclosed my disability to my employer (or my employer first became aware of my disability on _____)

22. The date on which I first asked my employer for reasonable accommodation of my disability is _____
23. The reasonable accommodations for my disability (if any) that my employer provided to me are: _____
24. The reasonable accommodation provided to me by my employer were ____/were not ____ effective.

WHEREFORE, I respectfully request this Court to grant me such relief as may be appropriate, including injunctive orders, damages, costs and attorney's fees.

Dated: 1/30/2023

Ruth Wilson

Plaintiff's Signature



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Buffalo Local Office
300 Pearl St. Suite 450
Buffalo, NY 14202
(716) 431-5007
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 11/18/2022

To: Ms. Ruth Wilson
213 Winbourne Rd
ROCHESTER, NY 14619

Charge No: 525-2021-00819

EEOC Representative and email: Nelida Sanchez
Senior Investigator
nelida.sanchez@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice. Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission,

Maureen C. Kielt

Digitally signed by Maureen C. Kielt
Date: 2022.11.18 12:19:47 -05'00'

Maureen Kielt
Buffalo Local Office Director

Cc:

Scott M Mooney
L3HARRIS
97 Humboldt St
Rochester, NY 14609

Please retain this notice for your records.

Enclosure with EEOC Notice of Closure and Rights (01/22)

INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

(This information relates to filing suit in Federal or State court under Federal law. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)

IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court within 90 days of the date you receive this Notice. Receipt generally means the date when you (or your representative) opened this email or mail. You should keep a record of the date you received this notice. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

If your lawsuit includes a claim under the Equal Pay Act (EPA), you must file your complaint in court within 2 years (3 years for willful violations) of the date you did not receive equal pay. This time limit for filing an EPA lawsuit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, your lawsuit must be filed within 90 days of this Notice and within the 2- or 3-year EPA period.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to <https://www.eeoc.gov/employees/lawsuit.cfm>.

ATTORNEY REPRESENTATION

For information about locating an attorney to represent you, go to:
<https://www.eeoc.gov/employees/lawsuit.cfm>.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

HOW TO REQUEST YOUR CHARGE FILE AND 90-DAY TIME LIMIT FOR REQUESTS

There are two ways to request a charge file: 1) a FOIA Request or 2) a Section 83 request. You may request your charge file under either or both procedures. EEOC can generally respond to Section 83 requests more promptly than FOIA requests.

Since a lawsuit must be filed within 90 days of this notice, please submit your request for the charge file promptly to allow sufficient time for EEOC to respond and for your review. Submit a signed written request stating it is a "FOIA Request" or a "Section 83 Request" for Charge Number 525-2021-00819 to the District Director at Timothy Riera, 33 Whitehall St 5th Floor

New York, NY 10004.

You can also make a FOIA request online at <https://eeoc.arkcase.com/foia/portal/login>.

Enclosure with EEOC' Notice of Closure and Rights (01/22)

You may request the charge file up to 90 days after receiving this Notice of Right to Sue. After the 90 days have passed, you may request the charge file only if you have filed a lawsuit in court and provide a copy of the court complaint to EEOC.

For more information on submitting FOIA Requests and Section 83 Requests, go to:

<https://www.eeoc.gov/eeoc/foia/index.cfm>.



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
New York District Office**

33 Whitehall Street, 5th Floor New
York, NY 10004
Free: (877)-869-1802
TTY (212) 336-3625
FAX (212)336-3622
Website: www.eeoc.gov

01/18/2023


Dear Ruth Wilson,

Your request has been delivered to the U.S. Equal Employment Opportunity Commission. The request has been assigned tracking # 520-2023-003951, please log into your account and review your submission.

The application address is <https://eeoc.arkcase.com/foia/portal/>

Thank you,

U.S. Equal Employment Opportunity Commission

Notice of Confidentiality: The information contained in this transmission may contain privileged and confidential information, including information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact us at foia@eeoc.gov  and destroy all copies of the original message and attachments.

To Whom It May Concern

In response to the information given by Mr. Mooney. I was employed in the L3Harris in Human Resources.

I was supporting Human Resources in an administrative position for the L3Harris locations at 800 Lee Road, Manitou Road, and 400 Initiative Drive. Even though Brittany Patrick was my immediate supervisor, I supported more than the 40 individuals as was stated. I supported Brittany Patrick, Felicia Franceschelli, and Connor Galloway. Since Brittany Patrick is in Florida and Felicia Franceschelli is the primary business partner in Rochester, and there were only 40 employees why was Brittany hired for 40 people when Felicia could have taken more employees. There are over 800 employees at these locations. I also find it difficult to imagine that Krissy Morgan, Bonnie Hutto, Aimee Cabrera is supporting 1,000 or more employees. If that be the situation, why was that amount of work not distributed proportionately among us.

For the duration of my position as Human Resources Support:

- Provided calendar and email management
- Administration of Web meetings, audio, and videos conferences
- Organized all meetings required/requested by HR
- Arranged special employee engagement meetings (such as Fidelity, Blood drives, informative benefits meeting, Supervisor training, and Town hall meetings)
- Finalized EAFs for Brittany, Felicia, Connor, and other business partners when required
- Provide assisted with the quarterly promotion for SAS division
- Maintained HR information (pamphlets, posters, and handout)
- As Mr. Mooney stated I was not managing Brittany Patrick's calendar; I was scheduling meetings upon her request. I did not manage her calendar, as I did not have access to her calendar.
- Additionally, upon working at L3, I initially coached Brittany Patrick on policies and procedures, that she wasn't knowledgeable about. I also provide demonstration on Peoplesoft procedures, again that she was not conscious of.

I maintained the personnel files of all the employees at these locations. During the transition to L3Harris, I was informed that all the personnel files needed to be sent to Melbourne Florida, where all the files would be scanned and kept electronically. I alone, packed over 20 four drawers file cabinets of employee's information. I packed, wrapped these boxes, and shipped to Florida. When I informed my manager that I needed assistance, and I couldn't do it alone; I was told, "take it one day at a time". I never received any assistance, and upon completing the project, my manager told me, "I must have done it right, because she didn't receive any complaints".

When my position was eliminated on March 18, 2021, I was by no means given an opportunity to seek out other openings within L3Harris. My manager made no effort to aid me in locating another position. When I requested assistance, I received no reply. I made several attempts to seek out opportunities within the organization.

I applied for the Executive Assistant to Vice President of Operations on March 19. I was never given an interview, never received any communication stating I wasn't qualified for the position, or that someone else was chosen, (Kathleen Gear, 56 white female). The rebuttal stated the *"they were only seeking candidates with recent experience serving as an executive assistant in a manufacturing/technical environment."* I have attached a copy of the job description, and a copy of the job description that was on LINKIN, and there is no reference of

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manufacturing/technical requirements. During my employment, I was also the Executive Assistant to the Vice President of Human Resources. For Mr. Mooney indicated I was not qualified, I assisted VP of HR, and was accustomed with the day-to-day routines required at this level. I also work together with senior leadership team, and their executive support.

- I delivered executive administration assistance to the vice president and senior leaders
- Clear and timely communication, active listening, responsiveness and follow through
- Adapt skills at working independently, as well as part of a team
- My technical skills included Microsoft Office Applications, including teams, WebEx, Zoom, Survey Monkey, Adobe, Acrobat Pro, Peoplesoft, and Concur
- Executive support: Calendar and email management, Office procedure expertise; agenda planning and meeting coordination; coordinating and planning onsite and offsite events; domestic and international travel arrangements
- Project coordination: purchase order and invoice management; expense budget tracking; monitor and evaluate budget and reconcile department expense
- Employee Engagement: Deploying Reward and Recognition Program

Mr. Mooney also stated that I applied for the position of security support, which in real meaning, is administrative support for security, and that I did not qualify to perform. When in fact, I am licensed in the State of New York as Security. Given the opportunity to dialogue I would have discussed this. Yet again, I never received communication that I was not qualified for this position.

There are numerous employees who may not have had all the requirements of a job but were given the opportunity to advance and grow.

- **Carol Greenfield**, (*white female*), has a secretarial degree, worked as a training and development specialist, now working as recruiting assistant; prior to COVID she was able to work from home
- **Patty Raimidal**, (*white female*), an administrative assistant in Operations, now working as Administrator of Real Estate, no real estate knowledge
- **Sandra Sellhorst**, (*white female*), Executive Assistant to President of former C&GC, now Manager of configuration management
- **Steven Millet**, (*white male*), associate degree, senior recruiter
- **Lori Hawryliak**, (*white female*), recent rehired, and given a position in Finance. After being unable to perform in this position, efforts were made to find a position for her as administrative assistant for intelligence, surveillance & reconnaissance
- **John Guerin** (*white male*), Shipping & Receiving dockworker, now working Data Configuration management
- **Melissa Gerber**, (*white female*) former Executive Assistant for Chris Young of Communications, now working Event Planner at L3Harris

So, when Mr. Mooney said I didn't have the qualification for the jobs that I applied for; some of individuals listed above, did not have qualifications or advance credentials for some of the positions they applied for and now hold, but they were able to advance in the company.

During my employment, I received a job title change, Senior Human Resources Associate. This title change was from the former Vice President of Human Resources, James Pokora in 2014. Mr. Mooney

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seems to want to demote my position as second-rate one. I was able to continue my education, and graduate with my bachelor's degree in business administration, in addition to being an honor student.

I was applying for positions, that with my skills, knowledge, experienced and educational background, I would have been more than competent in exceeding the expectations of the job. However, because Mr.

Mooney and L3Harris, selected not to allow me the same opportunities that was afford to white individuals with less education, skills, and/or experience; I was not equally permitted an interview. The clear and plain truth is, I was discriminated against.

Mr. Mooney indicated that I was paid \$42,394.00, which should have been paid bi-weekly, but instead I was paid in a lump sum with a 40% tax distribution, with the remaining sum of \$25,436. What he also neglected to discuss was the inequality in pay that I received, in comparison to my white female peers.

I request that EEOC completed an audit of the pay within the organization for clear disparity in pay. Some of my peers are Laurie Guerin, Ellen Morgan, Valerie Colern, Aileen Szatynski, Deana Guzzetta, Shannon Bryant, Angela Miner, Lori Hawryliak. All are administrative support, their salaries is/was were much higher, even though we all performed the same functions.

When my position was eliminated on March 18, I no longer had access to L3Harris email account. So Vincent Tran and I communicated via my personal email address. On Sunday, March 28 at 6:55pm I received an email from Vincent Tran indicated that Nicholas Leonard the hiring manager has reviewed my resume for Specialist, Procurement position. He requested my availability for 3 day and times. At 7:15pm pm March 28 I reply with my available days and times as follows:

1) March 30/1:30-5:00

2) March 31/1:00-3:00

3) April 1/1:00-4:00

On Tuesday, March 30 at 12:18pm, I sent an email to Vincent inquiry about the status of the interview. Then on Monday, April 26 at 6:26pm I received a note, thanking me for the interview. I was told that I didn't tell Vincent that I received confirmation from my manager. I find this strange, as my manager understood my position was eliminated.

I have applied to the following positions, and was never called for interviews:

- Thank you for your interest in Job CS20211903-58341 -- Executive Assistant -- March 19 @ 2:31pm
- Thank you for your interest in Job CS20211203-58028 -- Inventory Management Support -- March 24 @ 2:43
- Specialist, Procurement SAS20210103-57274 --March 28 @ 6:47pm
- Job CS20211603-58173 -- Procurement D -- April 30 @ 11:44am
- Thank you for your interest in Job SAS20211404-59727 -- Security Support D -- April 27 @ 12:34pm. This position is just administrative support in security, which I was more than qualified to perform

It has become evident that all the positions I have apply for, my resume and application were not forward to the appropriate hiring managers. I cannot honestly comprehend that I was not eligible for

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any of these positions. I now consider that L3Harris as deliberately blacklisted and discriminated against me, due to my age and race.

I find this extremely disheartened, because approximately 2018/2019, the Communications divisions was experiencing lack work for some of its employees; and considering layoffs. During this time, the Communications division, reassigned some of its employees to the SAS division. So, my question is, why was I not given the same opportunity to be reassigned as those individuals? I completely trust that the entire L3Harris organization, should be audited and examined for its of lack diversity regarding people of color. The treatment of potential people of color applicants; the nonexistence of people of color on leadership teams, in division management positions. The treatment, promotions, accurate pay, exempt vs nonexempt status.

L3Harris deliberately, discriminated against me in all aspects of my employment. I was treated unfairly, worked in a hostile environment with no possibility for support, retaliated against when seeking continue employment with the company. Denied current and future employment; potential promotions; reasonable and equal pay; managers who exhibit racist and bias, entirely based on my age and the color of my skin.

We are alive during a period when people of color, are still trying to exist; through tremendous oppression, being mentally and physically hurt, and in some cases death. This company should be held accountable for their hidden prejudice behaviors, their nonexistence empathy and outright hatred toward people of color. We continue to fight to be heard, treated fairly, and respected.

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